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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 vs.)

11 WAYDE LYNN KURT,)

12 Defendant.)

10-CR-0114-WFN

Voir Dire Questions To
Prospective Jurors Proposed
By Plaintiff

14 Plaintiff, United States of America, requests the court to address the
15 following voir dire questions to the prospective jurors:

16 1. The participants in this case are as follow:

17 a. Do you know any of the participants in this case?

18 2. I will at times ask each of you a few personal questions concerning your
19 own background. Please bear in mind these questions are not being asked
20 to embarrass you, or to pry into your private affairs; rather, it is simply one
21 way of assuring that the court upholds its obligation to empanel a jury
22 which is fair to both the government and to the defendant.

23 a. Please state your name.

24 b. Please state the name of the county where you reside.

25 i. How long have you lived in this county?

26 3. If you have children, what are their ages and occupations?

27 4. Have you ever been a juror before?
28

Voir Dire Questions To Prospective Jurors Proposed By Plaintiff - 1

- 1 a. Where?
- 2 b. When?
- 3 c. Have you served in a criminal case?
- 4 i. Did the jury reach a verdict?
- 5 5. Do you have any physical impairments, such as eye or hearing problems, or
- 6 back problems, that would make it difficult for you to be a juror in this
- 7 case?
- 8 6. Have you ever sued the United States?
- 9 a. Do you or any member of your family presently have any claim
- 10 against the United States?
- 11 7. Do you or any member of your family work for any city, state, or federal
- 12 agency?
- 13 a. Have you or any member of your family ever worked for a law
- 14 enforcement agency?
- 15 8. Has anyone in your family ever been a defendant in a criminal case?
- 16 9. Have you or anyone in your family ever been a witness in a criminal case or
- 17 the victim of a crime?
- 18 10. It is expected that your service may last 5 to 8 days. Is there anyone for
- 19 whom this would be a hardship?
- 20 11. Have you, any member of your family, or any close friend, or any employer
- 21 had any prior legal training?
- 22 a. If so, please describe.
- 23 i. If you have had such training and the knowledge you gained in
- 24 such training conflicts with the law that the judge will give you
- 25 in this case, would you be able to put aside your previous
- 26 training and accept the law as it is given to you in this case?
- 27 12. All possible defendants may not be on trial here. Will you promise that you
- 28 will not speculate about the reason for the absence of a possible defendant?

1 13. Have you formed any opinions in reference to the use of informants by the
2 government which might affect your ability to be fair and impartial to the
3 government or the defendants?

4 14. During the course of the trial you might learn that the Defendant, and a
5 government informant, were members of a white supremecist group.
6 Would this information impede you from being able to fairly listen to the
7 evidence? Would this information prejudice you in any way against the
8 government or the Defendant?

9 15. Do you or any members of your immediate family own any handguns or
10 rifles or other types of firearms?

11 a. Do you or anyone in your family participate in hunting activities?

12 b. Do you or anyone in your family belong to the National Rifle
13 Association or any other association which advocates the rights of
14 citizens to own and possess firearms.

15 i. Are you or any member of your family against any form of gun
16 control?

17 16. Do any of you hold strong opinions as to the Government's ability to
18 prosecute firearms offenses?

19 17. Do you understand the role of a juror is to listen to the evidence, and the
20 law, and to come to a verdict at the end of the case?

21 c. Do you agree to listen carefully to the evidence as it is presented in
22 this case?

23 d. Do you agree to follow the law that the judge will give you during the
24 course of this case?

25 i. Will you be able to do so even if you disagree with the law that
26 the judge gives you?

1 e. Do you understand that the role of a juror is to decide whether or not
2 the law was broken, and not whether the law is itself a good law or a
3 bad law?

4 f. Since part of the role of a juror is to come to a verdict at the end of
5 the case, do you have any qualms about attempting to come to a
6 verdict?

7 18. Is there any reason at all that you would be unable to devote your full
8 attention to this case for the next 5 to 8 days and render a verdict based
9 solely upon the evidence in this case and the law you will be given, in a fair
10 and impartial manner without bias or prejudice to either side?
11

12 DATED September 6, 2011.

13 Michael C. Ormsby
14 United States Attorney

15 s/Earl A. Hicks

16 Earl A. Hicks
17 Assistant United States Attorney

18 I hereby certify that on September 6, 2011, I electronically filed the
19 foregoing with the Clerk of the Court using the CM/ECF System which will send
20 notification of such filing to the following, and/or I hereby certify that I have
21 mailed by United States Postal Service the document to the following non-
22 CM/ECF participant(s):

23 Richard D. Wall
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26 Spokane, WA 99201

27 s/Earl A. Hicks

28 Earl A. Hicks
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